

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DANIEL KLEEGERG, LISA STEIN, and  
AUDREY HAYS,

Plaintiffs,

-against-

WENDY EBER, in her individual capacity and as  
Executrix u/w/o LESTER EBER, ALEXBAY, LLC  
f/k/a LESTER EBER, LLC, LUCIA GORDON  
GUMAER and PATRICK D. MARTIN solely in their  
capacities as Executors under the will of ELLIOTT W.  
GUMAER, JR.,

Defendants,

-and-

EBER BROS. & CO., INC., EBER BROS. WINE  
AND LIQUOR CORP., EBER BROS. WINE &  
LIQUOR METRO, INC., EBER-CONNECTICUT,  
LLC, EBER-RHODE ISLAND, LLC, EBER BROS.  
ACQUISITION CORP., EBER-METRO, LLC,  
SLOCUM & SONS OF MAINE, INC., and  
CANANDAIGUA NATIONAL BANK & TRUST  
COMPANY,

Nominal Defendants.

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Case No. 16-cv-9517 (LAK) (KAP)

**NOTICE OF APPEARANCE**

PLEASE TAKE NOTICE that Tyler Maulsby, of Frankfurt Kurnit Klein & Selz, P.C.,  
hereby appears as attorney for non-party John S. Herbert in the above-captioned proceeding.

Dated: New York, New York  
August 14, 2023

FRANKFURT KURNIT KLEIN & SELZ, P.C.

By: /s/ Tyler Maulsby

Tyler Maulsby  
28 Liberty Street, 35<sup>th</sup> Floor  
New York, New York 10005  
(212) 980-0120

*Attorneys for Non-Party John S. Herbert*